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**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

Court Minutes

September 7, 2009

There are no minutes for this date.

September 8, 2009

C056029 THE PEOPLE v. DEREK MARTINEZ et al. (Not For Publication)
C058137 THE PEOPLE v. MICHAEL LEE JOHNSON

The judgments against both Johnson and Martinez are hereby modified so as to provide expressly that defendants are jointly and severally liable for the direct victim restitution. As modified, the judgments are affirmed. The trial court is directed to amend the abstracts of judgment to reflect these modifications and to forward certified copies of the amended abstracts to the Department of Corrections and Rehabilitation.

CANTIL-SAKAUYE, J.

We Concur: Sims, Acting P.J.
 Robie, J.

C059731 THE PEOPLE v. (Not For Publication)
PATRICK COLIN CANAVAN

The judgment is affirmed.

HULL, J.

We Concur: Scotland, P.J.
 Raye, J.

C056576 MATUS, Individually and as Trustee, (Certified For Publication)
etc., et al. v. BOARD OF ADMINISTRATION
OF CALIFORNIA PUBLIC EMPLOYEES'
RETIREMENT SYSTEM et al.

The judgment is affirmed. Plaintiffs are awarded their costs on appeal.

HULL, J.

We Concur: Scotland, P.J.
 Nicholson, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

September 9, 2009

- C058719 THE PEOPLE v. YER YANG et al. (Not For Publication)**
The trial court is directed to prepare a corrected abstract of judgment reflecting Ge Yang's consecutive sentence on Count Five and forward a certified copy to the Department of Corrections and Rehabilitation. The judgment is otherwise affirmed.
SIMS, Acting P.J.
We Concur: Robie, J.
Cantil-Sakauye, J.
- C059414 THE PEOPLE v. CANDICE LEWIS (Not For Publication)**
The judgment is affirmed.
ROBIE, J.
We Concur: Scotland, P.J.
Hull, J.
- C060832 THE PEOPLE v. (Not For Publication)**
ALBERT SHAWN AUBUCHON
The judgment is affirmed.
SCOTLAND, P.J.
We Concur: Sims, J.
Butz, J.
- C061135 THE PEOPLE v. KANIAH MCCAULEY (Not For Publication)**
The judgment is affirmed.
SCOTLAND, P.J.
We Concur: Robie, J.
Butz, J.
- C060446 THE PEOPLE v. DAVID LOREN COOK**
BY THE COURT:
Respondent's petition for rehearing is denied.
NICHOLSON, Acting P.J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

September 10, 2009

**C057177 THE PEOPLE v. (Not For Publication)
MALCOLM SHEPARD, JR.**

The judgment is modified by (1) striking the \$10,000 parole revocation fine imposed pursuant to Penal Code section 1202.45, and (2) striking the \$5,000 court construction penalty imposed pursuant to Government Code section 70372. As modified, the judgment is affirmed. ...

SCOTLAND, P.J.

We Concur: Raye, J.
 Robie, J.

C057628 THE PEOPLE v. LONG PHI LE (Not For Publication)

We strike those portions of the judgment that impose a parole revocation fine of \$10,000, a restitution fine of \$10,000, restitution of \$3,500 to the Victims of Violent Crime Program (Restitution Fund), and victim restitution in an amount to be determined. We remand the case with directions to redetermine the restitution fine and/or the victim restitution in accord with the statements in part VI.B. of this opinion. In all other respects, the judgment is affirmed.

BUTZ, J.

I concur: Sims, Acting P.J.

I concur in the result of the majority opinion and concur in the majority opinion except as to part VI.B. of the discussion, relating to the restitution fine and victim restitution. ...

Nicholson, J., Concurring

**C059043 THE PEOPLE v. (Not For Publication)
TRAVIS ALEXANDER HILL**

The judgment is affirmed.

BUTZ, J.

We Concur: Raye, Acting P.J.
 Cantil-Sakauye, J.

**C059702 THE PEOPLE v. (Not For Publication)
LAURENCE EUGENE WILLIAMS**

The trial court's order that defendant have no contact with Katrina T. is stricken. The judgment is otherwise affirmed.

BLEASE, Acting P.J.

We Concur: Sims, J.
 Butz, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

September 10, 2009, Continued

- C060584 THE PEOPLE v. (Not For Publication)**
STEVEN ROBERTSON GRAY
The judgment is affirmed.
CANTIL-SAKAUYE, J.
We Concur: Sims, Acting P.J.
Raye, J.
- C061206 THE PEOPLE v. (Not For Publication)**
RANTAE LAMAR JACKSON
The judgment is affirmed.
HULL, Acting P.J.
We Concur: Robie, J.
Butz, J.
- C056936 PODSIADLO v. WESTERN INSURANCE (Not For Publication)**
COMPANY et al.
The judgment is affirmed. Defendants shall recover their costs on appeal.
BLEASE, Acting P.J.
We Concur: Raye, J.
Cantil-Sakauye, J.

September 11, 2009

- C061198 THE PEOPLE v. (Not For Publication)**
DAVID HARRY ALPERN
The judgment and sentence are affirmed.
ROBIE, J.
We Concur: Blease, Acting P.J.
Cantil-Sakauye, J.
- C058810 COLE v. PATHAK et al. (Not For Publication)**
The judgment is affirmed. Pathak and Marshall Medical Center shall
recover their costs on appeal. (Cal. Rules of Court, rule 8.278 (a) (1) & (2) .)
SIMS, J.
We Concur: Scotland, P.J.
Butz, J.